



West Virginia Senate

Committee on the Judiciary

Minutes for MARCH 15, 2021, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on March 15, 2021, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Blair, Grady, Maynard, Phillips, Rucker, Smith, Stover, Takubo, Woodrum, Beach, Caputo, Lindsay, Romano, Woelfel

Members absent: None

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

S. JR. 11 - Constitutional Officer Term Limit Amendment.

Tom Smith, Chief Counsel, explained the resolution, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Riley Moore, West Virginia State Treasurer, addressed the committee, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it be adopted, but first be referred to the Committee on Finance.

S. B. 626 - Updating regulation for purchase of automobile catalytic converters.

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Jared Wyrick, President, West Virginia Auto Dealers Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Richard Stevens, Operator/Owner, Stevens Auto Center, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, William P. Cole, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Rodney A. Miller, Executive Director, West Virginia Sheriffs Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, William Price, Legislative Photographer, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Jason Webb, West Virginia Recyclers Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

S. B. 422 - Establishing common law "veil piercing" claims not be used to impose personal liability.

Mark Dean, Counsel, explained the bill, and responded to questions.

On motion of Senator Weld the committee amended the bill on page 2, subsection c, adding new subdivision 5, "There is any fine, fee, or penalty assessed to the limited liability company pursuant to local, state, or federal law."

Senator Lindsay moved to amend the bill on page 2, subsection c, subdivision 4, by striking the word "actual".

Unanimous consent being granted, Senator Lindsay reformed his amendment on page 2, subsection c, subdivision 4, after the word “actual” by inserting the words “or constructive”.

The same was put, and the amendment was adopted.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it be adopted,

[Note: Senator Romano voted no.]

H. B. 2709 - Providing that the aggregate liability of a surety on a consumer protection bond under the West Virginia Fintech Regulatory Sandbox Program does not exceed the principal sum of the bond.

Mark Dean, Counsel, explained the bill, and responded to questions.

On motion of Senator Weld, the committee reported the bill to the full Senate with the recommendation that it do pass.

H. B. 2764 - Allow the Division of Financial Institutions to enter into reciprocity agreements with other jurisdictions that operate similar programs to the West Virginia Fintech Sandbox Program.

Mark Dean, Counsel, explained the bill, and responded to questions.

On motion of Senator Weld, the committee reported the bill to the full Senate with the recommendation that it do pass.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 15th day of March, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Jared Wyrick

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



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the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Richard Stephens

Print Witness Name

Richard Stephens

Sign Witness Name

Oath was administered by:

Charles S. Trapp

Print Member Name

Charles S. Trapp

Sign Member Name



PO Box 278 -- 104 Stephens Drive -- Rt. 119 & Lory Rd. -- Danville WV 25053
(304) 369-2411 -- www.stephensauto.com -- 1-800-925-2411

November 2020 -- 2 inventory vehicles -- Total of repairs \$10,123.22

January 2021 -- 24 vehicles -- Total of repairs \$62,453.34

22 inventory vehicles -- 2 customer vehicles

Total of vehicles damaged - 26

Total of all repair estimates - \$72,576.56

Total of insurance proceeds - \$44,202.27

Total of unreimbursed repairs - \$28,374.29

Estimated cost of new nighttime security - \$45,000 annually

The Senate of West Virginia



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the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

William P. Cole Jr.

Print Witness Name

William P. Cole Jr.

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



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the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Rooney A. Miller

Print Witness Name

Rooney A. Miller

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



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the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

William Price

Print Witness Name

William Price

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Testimony taken this 15th day of March, 2021, in
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Jason Webb

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name